

PTO/SB/21 (6-98)
FEB 10 2003
PATENT & TRADEMARK OFFICE

PTO/SB/21 (6-98)

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

5*

Application Number

10/010,894

Filing Date

11/08/2001

First Named Inventor

Basil et al.

Group / Art Unit

2611

Examiner Name

Faile, Andrew

Attorney Docket No.

0960-021

FEB 12 2003

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ENCLOSURES (check all that apply)

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- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment / Response
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Small Entity Statement
- ☐ Request for Refund

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Additional Enclosure(s) (please identify below):

* Number pages cited references not included PTO SB08A and SB08B Cited references Return Receipt Postcard

Remarks

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FEB 14 2003

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Kevin E. Flynn

37,325

Signature

Kevin E. Flynn

Date

02/05/2003

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name

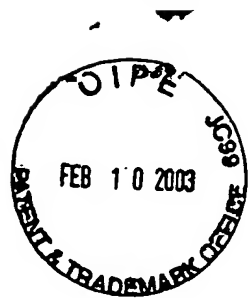
Lynette M. Bailey

Signature

Lynette M. Bailey

Date

02/05/2003



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Basil et al.	Attorney Docket:	0960-021
Serial No:	10/010,894	Examiner:	Faile, Andrew
Filed:	11/08/2001	Art Unit:	2611
TITLE: CAPACITY SCALING AND FUNCTIONAL ELEMENT REDISTRIBUTION WITHIN AN IN-BUILDING COAX CABLE INTERNET ACCESS SYSTEM			

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

FEB 12 2003

Assistant Commissioner for Patents
Washington D.C. 20231

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Transmitted herewith are Forms PTO/SB/08A and PTO/SB/08B providing material that may be relevant to the subject application. It is respectfully requested that these documents be considered by the Examiner and an initialed copy of the form be returned to the undersigned. It is believed that this disclosure complies with the requirements of 37 CFR §§ 1.56, 1.97 and 1.98 and the MPEP § 609. If for some reason the Examiner considers otherwise, it is respectfully requested that the undersigned be called so that any deficiencies can be remedied.

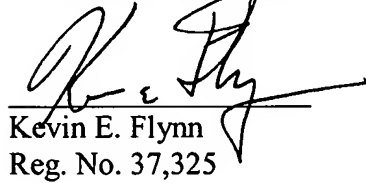
Submission of these documents is consistent with the broadest interpretation of the duty of disclosure. In accordance with the rule for patent prosecution, such a submission is not to be construed as an admission that the information cited in the Supplemental Information Disclosure Statement is, or is considered to be, material to patentability as defined in §1.56. Assignee, coaXmedia, Inc. respectfully reserves the right to challenge a conclusion that any of the submitted material represents information constituting prior art to the present application or that the information that applicant has located would be of the type used by one of ordinary skill in the art in solving the problems addressed in the present application. The submission of these materials is consistent with the duty of disclosure and should not be interpreted as an indication that Assignee has made a prior art search such that the Examiner should not undertake to conduct an independent prior art search.

Assignee submits material that is listed in an International Search Report for a corresponding PCT application. A copy of the Search Report is provided for the convenience of the Examiner. Assignee notes that the Search report asserts that all pending claims are obvious in light of two pieces of "Y" art. Assignee does not accept this preliminary conclusion and invites the Examiner to consider the substantial differences between the cited art and the pending claims.

For the convenience of the Examiner, Assignee submits
U.S. Patent No. 5,787,483, a corresponding U.S patent to EP0765061 cited as "Y" art.

Dated: February 5, 2003

Respectfully submitted,



Kevin E. Flynn
Reg. No. 37,325

Daniels Daniels & Verdonik, P.A.
P.O. Drawer 12218
Research Triangle Park, NC 27709
Voice 919.544.5444
Fax 919.544.5920
email Kflynn@d2vlaw.com

Enclosures

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet

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Application	10/010,894
Filing Date	11/08/2001
First Named	Basil et al.
Group Art Unit	2611
Examiner Name	Faile, Andrew
Attorney Docket	0960-021

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**Examiner
Signature**

Date
Considered

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue numbers(s), publisher, city, and/or country where published	T ²
	A	Schneier, B. <i>Applied Cryptography Passage</i> , Applied Cryptography, Protocols, Algorithms, and Source Code in C, John Wiley & Sons, pages 372-375; 419-420 (New York 1996)	

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Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.